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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/596,610

06/19/2006

Arjan Claassen

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24737

7590

06/27/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

LA, ANH V

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

06/27/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/596,610	Applicant(s) CLAASSEN, ARJAN	
	Examiner Anh V. La	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. The specification is objected to because it does not contain sub-headings. For examples, - -BACKGROUND OF THE INVENTION-- , - -SUMMARY OF THE INVENTION- - , - -DETAILED DESCRIPTION- -.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams (US 5,945,988).

Regarding claim 1, Williams discloses a content-processing system for processing a content to be presented to a user comprising input means for receiving commands from the user, a mood detector, the content-processing system being arranged to modify the processing operation independence on the commands received and the mood detector being arranged to detect the mood based on the received commands (abstract, column 3, lines 1-67, col. 7, line 1- col. 8, line 11, col. 9, lines 1-67, col. 10, lines 60-67, see figures 1-8).

Regarding claim 2, Williams discloses pattern analysis means (col. 7, line 1- col. 8, line 11).

Regarding claim 3, Williams discloses the mood being a state of boredom and the patterns being relatively high frequency of received commands (col. 9, lines 1-68).

Regarding claim 4, Williams discloses presenting alternative content in response to detection of the state of boredom by the mood detector (abstract, column 3, lines 1-67, col. 7, line 1- col. 8, line 11, col. 9, lines 1-67, col. 10, lines 60-67, see figures 1-8).

Regarding claim 5, Williams discloses measuring means and a threshold (col. 9, lines 40-67).

Regarding claim 6, Williams discloses storage means (col. 2, line 1-15, col. 3, lines 1-67).

Regarding claim 7, Williams discloses a timer and means for incrementing and decrementing the value (abstract, column 3, lines 1-67, col. 7, line 1- col. 8, line 11, col. 9, lines 1-67, col. 10, lines 60-67, see figures 1-8).

Regarding claim 8, Williams discloses a mood detector (abstract, column 3, lines 1-67, col. 7, line 1- col. 8, line 11, col. 9, lines 1-67, col. 10, lines 60-67, see figures 1-8).

Regarding claim 9, Williams discloses a method for processing a content to be presented to a user comprising the step of receiving commands from the user to control the processing operation, modifying the operation in dependence on the commands received and detecting a mood of the user based on the received commands (abstract, column 3, lines 1-67, col. 7, line 1- col. 8, line 11, col. 9, lines 1-67, col. 10, lines 60-67, see figures 1-8).

Regarding claim 10, Williams discloses a computer readable medium that contains the programming product operative to cause a programmable content-processing system to execute the steps of the method of claim 9.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Harrison, Amano, Levitan, Masse, and Sposato disclose monitoring systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anh V La/
Primary Examiner, Art Unit 2612

Anh V La
Primary Examiner
Art Unit 2612

AI
June 22, 2008